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REMARKS

In the Office Action the Examiner indicated that claims 14, 15, and 34-52 are allowed and that claims 8-10 would be allowed if rewritten in independent form. Applicants appreciate this indication of allowable subject matter.

In addition, the Examiner has rejected claims 1-3 and 5-7 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,276,821 issued to Pastrick et al. in view of U.S. Patent No. 4,906,085 issued to Sugihara et al.; and rejected claims 4 and 16-33 under 35 U.S.C. § 103(a) as being unpatentable over Pastrick et al. in view of Sugihara et al. and further in view of U.S. Patent No. 5,786,772 issued to Schofield et al. Applicants respectfully traverse these rejections for the reasons set forth below.

By this Amendment, Applicants have amended claim 22 to more clearly define the present invention and have canceled claim 31 without prejudice. Claims 1-10, 14-30, and 32-52 are currently pending.

With respect to the rejection of claims 1-3 and 5-7 under 35 U.S.C. § 103(a) as being unpatentable over Pastrick et al. and Sugihara et al., Applicants submit that the combined teachings of Pastrick et al. and Sugihara et al. fail to teach or suggest each and every feature of independent claim 1 and thus also of claims 2, 3, and 5-7.

In the Office Action, the Examiner correctly admits that Pastrick et al. does not specifically disclose a door illuminator light source disposed behind the mirror so as to project light through the mirror. However, the Examiner inaccurately characterizes Sugihara et al. as disclosing, in Fig. 19, a door illuminator light source (6) disposed behind the mirror. The Examiner refers to column 8, lines 62-66 and Fig. 19 of Sugihara et al. However, column 8, lines 62-66 states:

The light applying means 6 is activated when, for example, the door of the vehicle is closed incompletely. When the light applying means 6 is activated, the mark "DOOR" is lighted and displayed on the half mirror 4.

Fig. 19 shows a cross section of the mirror shown in Fig. 20, which clearly shows that this particular embodiment relates to an indicator light that informs the driver when a door is

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ajar. The driver is informed by activation of the indicator light that projects the lighted “DOOR” indicator signal towards the eyes of the driver. The indicator light of Sugihara et al. is not an illuminator light, let alone a light that “projects light towards the door handle and/or locking mechanism of the vehicle,” as recited in independent claim 1. A light that projects towards a driver’s eyes does not inherently project light towards a door handle and/or locking mechanism.

The requirements for making a *prima facie* case of obviousness are described in MPEP §2143 as follows:

To establish a *prima facie* case of obviousness, three basic criteria must be met.

First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations.

The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant’s disclosure. *In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

MPEP §2143.01 provides further guidance as to what is necessary in showing that there was motivation known in the prior art to modify a reference teaching. Specifically, MPEP §2143.01 states:

The mere fact that references can be combined or modified does not render the resultant combination obvious *unless the prior art also suggests the desirability of the combination*. *In re Mills*, 916 F.2d 680, 16 USPQ2d 1430 (Fed. Cir. 1990). [emphasis added]

The prior art does not suggest the desirability of the combination. One skilled in the art wishing to provide the functionality of the security light disclosed in Pastrick et al. would simply make the mirror assembly as Pastrick et al. has disclosed. There is no teaching in the prior art suggesting it would be desirable to modify Pastrick et al. to move the security light so as to project through the mirror. In fact, one skilled in the art would likely not have found it desirable to move the security light in Pastrick et al. from the bottom of the mirror housing to

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a location behind the mirror element. First, the mirror element would have to be modified to allow light to pass therethrough. Either a large window would need to be formed by removing all or a portion of the reflective layer over a correspondingly large area to allow light to pass through the layer, or the reflective layer would need to be formed as a semitransparent layer. However, in the first case, removal of the reflective layer is undesirable because it reduces the viewing area of the mirror. In the second case, a semitransparent layer must still reflect most of the light and, thus, only a small percentage (i.e., less than 20%) of the light can pass through the semitransparent layer. Thus, moving the security light of Pastrick et al. behind a semitransparent reflective layer would undesirably significantly reduce the intensity and range of the light. Further, by moving a previously stationary light source to a location that moves with the mirror, it is more difficult to aim the light in the desired direction.

The Examiner has only stated that it would have been obvious to combine the device of Pastrick et al. with the alleged door illuminator light source of Sugihara et al. "for the purpose of providing illumination to the doors of the vehicle." However, if the security light does already provide light to the door of the vehicle as the Examiner alleges, why would one of ordinary skill in the art have considered it desirable to modify the structure disclosed in Pastrick et al. just so it can do something similar (albeit, perhaps not as well)?

Thus, it is clear that the combined teachings of Pastrick et al. and Sugihara et al. fail to teach or suggest each and every feature recited in independent claim 1 and a prima facie case of obviousness has not been established. Thus, independent claim 1 and claims 2, 3, and 5-7, which depend therefrom, are allowable over the combination of Pastrick et al. and Sugihara et al.

Applicants respectfully traverse the rejection of claims 4 and 16-33 under 35 U.S.C. § 103(a) as being unpatentable over Patrick et al. in view of Sugihara et al. and Schofield et al.

With respect to claim 4, Schofield et al. fails to teach or suggest a rearview mirror assembly for a vehicle having a mirror and door illuminator light source configured to project light towards a door handle and/or locking mechanism of the vehicle, wherein the door illuminator light source is disclosed behind the mirror so as to project light through the mirror. Accordingly, Schofield et al. fails to teach or suggest the features of claim 1 that are not

disclosed by Pastrick et al. and Sugihara et al., and thus these three references fail to teach or suggest each and every feature of claim 4. Claim 4 is thus allowable over these references.

Independent claim 22 recites a rearview mirror assembly for a vehicle comprising “a housing configured for attachment to the vehicle; a mirror positioned in said housing; a turn signal light; and a door illuminator light configured to project light at a portion of a door of the vehicle wherein said door illuminator light source is disposed behind said mirror so as to project light through said mirror; and a blind spot indicator light for indicating when an object is detected in a blind spot of the vehicle.” As stated above with respect to claims 1 and 4, the combined teachings of Pastrick et al., Sugihara et al. and Schofield et al. fail to teach or suggest a rearview mirror assembly for a vehicle having a mirror and door illuminator light source configured to project light towards a door handle and/or locking mechanism of the vehicle, wherein the door illuminator light source is disclosed behind the mirror so as to project light through the mirror. Accordingly, independent claim 22, as well as claims 23-31, which depend therefrom, are allowable.

With respect to the rejection of claim 16, the Examiner correctly admits that Pastrick et al. does not disclose a blind spot indicator light source for indicating when an object is detected in a blind spot of the vehicle. The Examiner, however, contends that Schofield et al. discloses a blind spot indicator light source (20) for indicating when an object is detected in a blind spot of the vehicle. The Examiner refers to column 3, lines 17-22 of Schofield et al. The Examiner then contends that it would have been obvious to combine the devices of Pastrick et al. and Sugihara et al. with the blind spot indicator of Schofield et al. for the purpose of allowing the driver to recognize another vehicle in the blind spot.

Independent claim 16 is directed to a *light module* for a vehicle rearview mirror assembly, where the light module comprises “a blind spot indicator for indicating when an object is detected in a blind spot of the vehicle; and a door illuminator configured to project light at a portion of a door of the vehicle.” As described in the present application and shown in the drawings, a door illuminator and a blind spot indicator included in the same “light module for a vehicle rearview mirror assembly” would share a common functional or support component other than the components of the vehicle rearview mirror assembly. By way of

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example, the door illuminator and the blind spot indicator included in the same light module would share a common light source, circuit board, reflector, lens or other optical element, or other support structure that supports the door illuminator and blind spot indicator so as to form a module that may be subsequently assembled into a rearview assembly in a modular fashion.

Even if the blind spot indicator of Schofield et al. were provided in the mirror assembly of Pastrick et al./Sugihara et al., it would not result in a "light module" that comprises both a blind spot indicator and a door illuminator. Instead, the door illuminator would be mounted at the bottom of the mirror housing, while the blind spot illuminator would be to the back of the moveable mirror element so as to project light through the mirror element. The two lights could not share a common functional or structural support component because they are mounted too far apart and one would move relative to the other. Thus, there is no reason why one of ordinary skill in the art would have considered modifying the resultant structure to include the two lights in a common light module.

For these reasons, independent claim 16, as well as claims 17-21, which depend therefrom, are allowable over the teachings of Pastrick et al., Sugihara et al., and Schofield et al. whether considered alone or in combination.

Like independent claim 16, independent claim 32 is directed to a "light module" including a blind spot indicator. In the case of claim 32, however, the recited light module includes a turn signal rather than a door illuminator. For the reasons stated above with respect to claim 16, The combined teachings of Pastrick et al., Sugihara et al., and Schofield et al. do not disclose a "light module" that includes more than one functional light element. Note that the turn signal and security light of Pastrick et al. are separate from one another and are not included in a common module. There is no teaching or suggestion in the prior art to motivate one skilled in the art to combine the various lights into a common module.

Accordingly, the combined teachings of Pastrick et al., Sugihara et al., and Schofield et al. also fail to teach or suggest the features of independent claim 32. Claim 32 is thus patentable over the teachings of these three references. Claim 33 depends from claim 32 and thus is also allowable over the teachings of these references based upon its dependence.

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In view of the foregoing amendment and remarks, Applicants respectfully submit that the present invention, as defined in the pending claims, is allowable over the prior art of record. The Examiner's reconsideration and timely allowance of the claims is requested. A Notice of Allowance is therefore respectfully requested.

Respectfully submitted,

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